# **Suggestions for Discussion**

## (Suggestions from All Previous Arizona Child Safety Task Force Meetings)

#### **STATUTORY**

- 1. Modify statutory disclosure requirements in light of separate investigative unit (allow for greater deference for disclosure of investigative materials, like we do with police reports, while maintaining confidentiality of other records related to case plans and delivery of services).
- 2. Clarify statutory definition of "near fatality" to be a determination by treating physician (not subsequent medical review).
- 3. Codify primacy of criminal court orders related to non-contact provisions of criminal release orders for family/juvenile courts to consider.
- 4. Develop usable definitions of emotional/psychological abuse and ensure definitions of child maltreatment are consistent with situations related to child neglect or sexual abuse.
- 5. Amend GAL guidelines to include training, the responsibility to advocate/protect constitutional rights of child victims of crime and participate in parallel court proceedings. The Supreme Court should consider requiring similar standards for attorneys who represent parents.
- 6. Attorneys and guardians ad litem appointed to represent children should be held accountable for their representation of children.
- 7. Review authority of a CPS worker to verify the safety and well-being of children reasonably suspected of being victims of criminal abuse/neglect when parents will not allow them access to the child. (This should occur in circumstances under which officers would have probable cause to conduct a welfare check)
- 8. Recommend implementation of Speak Up Be Safe school-based prevention curriculum.
- 9. Clarify conflicting statutory priorities of CPS and CPS workers in A.R.S. § 8-800 and 8-802.
- 10. Develop a clear State protocol with child protection/safety as the focus (reunification, severance, provision of services secondary).
- 11. Bridge the gaps among statutes governing CPS intervention to capture instances that would qualify as criminal conduct under other statutes (e.g., domestic violence statutes) but do not qualify under current statute governing CPS. For example, Amend ARS §8-846 and other related statutes to ensure that appropriate cases are eligible for joint investigations.
- 12. Train CPS workers to better utilize the statute permitting them, when there are specific criminal conduct allegations, to request relief from the court of their obligation to pursue reunification. (A.R.S. § 8-846)
- 13. Expand six month statutory time frame for permanency decision which currently applies to new born to three year olds, to include four and five year olds.

- 14. Create presumption that records are open in cases of death and near fatality. We must be able to identify what went wrong with our process leading up to the cases to make informed decisions about what changes are needed to improve child safety.
- 15. Modify CPS policies regarding disciplinary actions to specify that disciplinary hearings are not public information until all appeals have been exhausted.
- 16. Make CPS employee disciplinary records and hearings open to the public.



### **ORGANIZATIONAL**

- 1. Create the Office of Child Welfare Investigations ("OCWI") within DCYF/DES with responsibility for investigation of all Priority1 reports.
- 2. Codify the training requirements for investigators employed by the OCWI.
- 3. Define Priority 1 cases to incorporate <u>any</u> allegation of criminal conduct, regardless of timeframe for when first observed.
- 4. Develop and implement training for CPS workers to recognize witness tampering in DV and child abuse cases.
- 5. Develop public/private partnerships for intervention and prevention programs and the delivery of services in multi-disciplinary environment.
- 6. Eliminate Removal Review Teams (ARS §8-822) and ensure Team Decision Making meetings are taking place across the state.
- 7. Establish an absolute prohibition for victim and perpetrator contact in Team Decision Making.
- 8. Review all funding sources and provider relationships to ensure appropriate treatment decisions.
- 9. Review use of Forensic Nurse Examiners in P1 investigations.
- 10. Support increased frequency of hearings in dependency actions to allow for more judicial oversight of CPS and parental action or inaction.
- 11. Support creation of dependency drug court divisions.
- 12. Seek to maximize in-home services where possible.
- 13. Screen for parental issues when providing services to children.
- 14. Support long term assignment of dedicated Juvenile Judges to hear dependency cases.
- 15. Review and revise Court Rules to streamline dependency process so there is less time between the preliminary protective hearing and subsequent permanency hearing.
- 16. Review Cradle to Crayon model for possible implementation across the state.
- 17. Streamline severance procedure once court adjudicates.
- 18. Review and consider implementation of the "One Judge, One Family" model in Hawaii or similar model. Families enter system and all cases belonging to that family stay together, belong to one judge (criminal, juvenile, family etc.)
- 19. Establish greater involvement of law enforcement in investigating reports of abuse. Greater law enforcement involvement will help to alleviate parental fears of children being capriciously pulled from the home and will help to preserve family rights.
- 20. Improve and streamline the Child Protective Services' automated data system known as CHILDS.
- 21. A Child Protective Services Advisory Board of Directors should be established to oversee improvements and ensure ongoing institutional quality change.

### Hotline

- 22. Review Hotline architecture to address hold times for all incoming calls and to provide a separate line for professionals and mandatory reporters.
- 23. Review Hotline worker training to ensure relevant criteria used to identify criminal abuse and proper coding of criminal conduct allegations occurs.
- 24. Fundamental change needed in training; CPS workers taking the calls should be trained separately and housed separately; resulting in more thorough investigations.
- 25. Utilize private sector resources to enhance efficiency of call centers.

### Foster System

- 26. Increase the number and retention of quality foster families.
- 27. Place child crime victims with specialty recruited and trained foster families to protect victim rights, help with trauma and provide a safe environment for continuing disclosure. Prohibit kinship placement in cases where a criminal investigation and or prosecution is occurring when indicators of witness tampering or evidence of kinship support of perpetrator exist.
- 28. Involve foster parents in ongoing review of Child Protection system and ensure their involvement in dependency actions
- 29. Review process of recruiting Foster Families for kids with behavioral health issues and ongoing placement following remediation of behavioral diagnosis.
- 30. Review communication/availability of post-adoption services and providers and range of services provided
- 31. Incorporate caseworkers in foster parent training to establish familiarity with the responsibilities and understanding of each party.
- 32. Identify and rectify reasons for multiple placements to provide permanency for children.
- 33. Whenever possible, in cases not involving criminal abuse, place removed children (together with siblings) within kinship foster homes.
- 34. Greater screening to ensure placements do not result in de facto placement with abusers (e.g., unofficial visitation, kin do not support/believe abuse/neglect report, witness tampering).
- 35. Enforce statutes requiring courts and CPS to timely notify foster families of court dates and visitation schedules (i.e. notice could be by providing the foster parent with electronic notification of the minute entries.)
- 36. Ensure sufficient resources for child support to assist foster family recruitment efforts. Enhancing the capacity of the system will make matching kids with appropriate families a one-time placement.

- 37. School officials should be authorized to provide greater information to Child Protective Services and courts regarding the status of foster children attending their schools. Laws should provide a "hold harmless" provision for teachers providing information.
- 38. Authority should be given to judges allowing them to order juveniles to remain in the young adult, independent living system, until age 21.
- 39. Foster Children must be afforded the opportunity to obtain a post-secondary education. Approximately 8% percent of foster children go to college and only approximately 1% percent of them complete a 4-year program. There has to be an ability using state assets, including state universities and community colleges, to funnel more foster children into post-secondary education and to provide them the supports the need to actually complete their studies and earn a degree.
- 40. The entire Child Protective Services/Foster Care system needs to be recalibrated to require a renewed sense of urgency and competence. Assuming that the legislature and Governor can agree to make system improvements, the Governor, Chief Justice, stakeholders and legislative leaders, should hold a summit in 2012 bringing together all 15 juvenile courts judges, legal system leadership, CPS, law enforcement and community stakeholders to announce what changes and commitments will be made and to communicate renewed, higher expectations for the entire system.
- 41. All Foster Care Agencies (Group Homes) dealing with ages 12-19 must provide a life skill program to encourage school participation, graduation, emotional growth, life skills to deal with stress and other emotional issues. The purpose of the life skill program is to equip the children with life skills to be productive in society. The Foster care agency must submit their life skill program with the licensing board and be reviewed prior to renewing licenses.
- 42. The Auditor will provide a report on the Foster Care agencies successes and failures. The report will be provided to the legislature review board every 2 years.

### **MANAGEMENT**

- 1. Consider personnel reform to strengthen ability to create positive culture for reform within CPS/DES
- 2. All CWIs need forensic interview training and child abuse investigation training to understand dynamics of specific fact scenarios (e.g. shaken baby syndrome).
- 3. Ensure proper focus for dealing with birth to 1 yr. old children in terms of investigations/assessments/addressing attachment issues/concerns
- 4. Take MDT approach to training for investigations concerning crisis intervention and safety assessments
- 5. Utilize local community college facilities for state-wide training programs.
- 6. Enhance caseworker training to recognize signs of abuse and neglect while managing P2, P3 and P4 cases.
- 7. Utilize available Title IV(E) funding for training.
- 8. Review training/education needs by position/duties/responsibilities
- 9. Consider CWIs to assist with background checks of safety monitors, quality control on prioritization decisions, and audits of P 2, 3 and 4 cases.
- 10. Analyze workflow and workload post reorganization to reduce CPS caseload.
- 11. Eliminate setting CPS salaries in state budget to allow agency flexibility to pay employees accordingly to educational and experience level.
- 12. Increase the number of CPS workers with BSW or MSW by establishing a pay differential for those specific degrees.
- 13. Enhance salary structures, potential for upward mobility, provide sufficient tools to accomplish assigned tasks, and provide mental health to recruit and retain most talented labor force.
- 14. Increase caseworkers' capacity to respond to law enforcement & foster families (e.g., provide cell phones, recorders, etc.).
- 15. Study areas of opportunity for First Things First funding (e.g. Best for Babies and "Cradle to Crayons")
- 16. Establish more frequent parental visits in safe reunification settings.
- 17. Establish standards for caseworker consistency and create greater accountability for caseworkers who provide "sub-standard" service.
- 18. Develop a culture that fosters a "person centered," rather than programmatic centered approach.
- 19. When one child is reported abused/neglected; expand lens to evaluate totality of what is occurring in the home to ensure safety of all children (i.e. domestic violence in the home).

- 20. Once severance or permanency within foster system established, provide meaningful transition services for children aging out of system and making decisions about entering young adult program.
- 21. Institute specialized teams and implement priority focus for cases (or families) involving children aged 0-5.
- 22. Continuing reform must include CPS workers. Establish a forum by which CPS employees can share insight and suggestions without fear of reprisal.
- 23. Immersion training for CPS workers, improve use of social media tools to educate both workers and the public.
- 24. Review provider contracting process to incorporate performance measures for subsequent award of contracts.



### PROTOCOL / JOINT INVESTIGATIONS

- 1. Review options to strengthen compliance with Joint Investigative Protocols.
- 2. Recognize Multi-Disciplinary Team approach and a fully staffed Family Advocacy Center model as "best practices" to investigating child abuse allegations.
- 3. Ensure that advocacy centers are established in all counties, are operating at optimum levels and that the Department of Economic Security assigns appropriate staff, and an administrator whose job is to help facilitate the operations of the advocacy centers and help resolve any problems that may arise.
- 4. Refine statutory requirements for Joint Investigative Protocol reports to require independent preparation and submittal to the President of the Senate, Speaker of the House and Governor's Office by each stakeholder.
- 5. Challenges in system: under or delayed reporting; failure of mandatory reporters to report (mental health providers/psychologists)
- 6. Recognize that under and delayed reporting has detrimental effect on the safety of children and successful prosecution of child abuse and implement training for all mandatory reporters.
- 7. Establish a method for County Attorney's to publish annual JIP reports to the public.
- 8. Need to ensure high quality/thorough initial investigations so decisions on severance can be made sooner to create permanency, establish healthy attachments and provide the best opportunity to address any trauma of severance for children. Additionally, such investigation will quickly screening out false reports and provide the best opportunity for successful prosecution of perpetrators.
- 9. Recognize claims of abuse where divorce proceedings underway (track nature/type of claims and rates where evidence of abuse found).
- 10. Ensure process for review of determinations under JIP (escalation method if non-concurrence from agency partner)
- 11. Establish information sharing in cases where MDT investigation is not occurring because the perpetrator not in a caregiver relationship to child victim.
- 12. Maintain county-level development and implementation of the JIP to allow for flexibility/adaptability per individual county circumstances
- 13. Conduct quarterly meetings at county level to review JIP compliance/process.
- 14. County Attorneys should be required by statute to convene a meeting, at least semi-annually, whose participants should include law enforcement, Child Protective Services and other appropriate stakeholders to establish protocols for handling cases and overcoming obstacles in their counties.
- 15. Need LEA involvement at outset of CCAs w/JIP implementation
- 16. Engage more community organizations in MDT approach to JIP; specifically needs to include the Medical Examiner's Office.

- 17. Increase communication to <u>all</u> mandatory reporters of duty to report <u>every</u> child death where abuse/neglect is suspected.
- 18. Recognize use of criminal justice coordinators as best practice
- 19. Shorten response time of all MDT members to begin a joint investigation as early in the process as possible. (e.g., allow police to identify/preserve evidence and CPS to protect/serve children).
- 20. Greater co-training/cross training for members of the MDT.
- 21. Provide specific training for smaller counties/smaller agencies.
- 22. Inform law enforcement culture to include a focus on child welfare.
- 23. When police are called to reports of domestic violence and drugs in a home, they should also identify whether children are present, make a child welfare check and contact CPS.
- 24. Replicate successful programs use benchmarking, for example Dade County Intervention Program.
- 25. Identify a clearly stated threshold for intervening in private institution of family. Protection of parental rights requires due process and a careful balance of protecting victims' rights.
- 26. Advocacy Center models as best practice that co-locate CPS, law enforcement, medical, and other service providers have greatest efficacy.
- 27. Advocacy center models train all participants to same level.
- 28. Advocacy center models facilitate information sharing- able to catch cases that on aggregate (e.g., multiple reports, repeat offenders) would warrant intervention, but as a single report would not.
- 29. Include advocacy centers in quarterly meetings.
- 30. Enhanced training for CPS, law enforcement, and legal representation of child victims' constitutional and statutory rights.
- 31. Enhance community involvement thru greater public education.
- 32. Greater involvement of schools in investigations and response.
- 33. Utilize existing community resources to supplement Advocacy Center models.
- 34. Enhance system processes to more speedily find permanency for 0-5 children (Ballinger emphasis on 0-3).
- 35. Require basic training for all mandatory reporters.
- 36. Integrate behavioral health into child welfare response.
- 37. Bridge the gap between data kept by various MDT members so that CPS, County Attorneys and the Attorneys General have access to relevant case information.